

OCT 17 2006

## FAX TRANSMISSION

DATE: October 17, 2006

PTO IDENTIFIER: Application Number 09/931,590-Conf. #2417  
Patent Number

Inventor: Scott G. NEWNAM et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: WILMER CUTLER PICKERING HALE AND DORR LLP

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Attorney Dkt. #: 0109779.00134US1

PAGES (Including Cover Sheet): 8 5CONTENTS: Substitute Petition for Extension of Time Request  
Two Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)  
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Application No. (if known): 09/931,590

Attorney Docket No.: 0109779.00134US1

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Substitute Petition for Extension of Time Request *(2 pages)*  
Two Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)  
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OCT 17 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No.: 109779-134)

Applicant(s): Newnam, et al.

Serial No.: 09/931,590 Examiner: Alam, Uzma

Filed: August 16, 2001 Group Art Unit: 2157

For: A SYSTEM AND METHOD FOR RECORDING AND PLAYING  
BACK INTERACTIVE CONTENT DURING A BROADCAST EVENTCommissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450CERTIFICATE UNDER 37 C.F.R. 1.8(a)

I hereby certify that this Amendment is being filed by facsimile to (571) 273-8300 on the date indicated below.

Date 10/17/2006

  
Jody BegleySUBSTITUTE PETITION FOR EXTENSION OF TIME  
UNDER 37 CFR 1.136(a) REQUEST

Applicants submitted by first class mail on October 16, 2006 a response to an Office Action as well as a Petition for Extension of Time Under 37 CFR 1.136(a) (the "Petition"). Applicants mistakenly made a request for a three month extension of time when only a two-month extension was due as of the mailing date of the response.

(Attorney Docket No.: 109779-134)

Applicants therefore enclose a substitute Petition requesting a two month extension.

Respectfully submitted,

Date: October 17, 2006

Michael A. Diener

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OCT 17 2006

PTO/SB/22 (09-06)

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b><br>FY 2006<br>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                        | Docket Number (Optional)<br>0109779.00134U\$1                                                                                                                    |
| Application Number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 09/931,690-Conf. #2417 | Filed August 16, 2001                                                                                                                                            |
| For SYSTEM AND METHOD FOR RECORDING AND PLAYING BACK INTERACTIVE CONTENT DURING A BROADCAST EVENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                        |                                                                                                                                                                  |
| Art Unit                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 2157                   | Examiner U. Alam                                                                                                                                                 |
| This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                        |                                                                                                                                                                  |
| The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                                                                                                                                                                  |
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1))<br><input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2))<br><input type="checkbox"/> Three months (37 CFR 1.17(a)(3))<br><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))<br><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))                                                                                                                                                                                                                                                                                                                        |                        | <b>Fee</b><br>\$120      \$60      \$<br>\$450      \$226      \$ 225.00<br>\$1020      \$510      \$<br>\$1590      \$795      \$<br>\$2160      \$1080      \$ |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.<br><input type="checkbox"/> A check in the amount of the fee is enclosed.<br><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.<br><input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.<br><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>08-0219</u> . I have enclosed a duplicate copy of this sheet.    |                        |                                                                                                                                                                  |
| I am the <input type="checkbox"/> applicant/inventor.<br><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71.<br>Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).<br><input type="checkbox"/> attorney or agent of record. Registration Number _____<br><input checked="" type="checkbox"/> attorney or agent under 37 CFR 1.34.<br>Registration number if acting under 37 CFR 1.34 <u>37,122</u><br><u>Michael A. Diener</u> _____<br>Signature _____ Date <u>October 17, 2006</u><br><u>Michael A. Diener</u> _____<br>Typed or printed name _____ Telephone Number <u>(617) 526-6000</u> |                        |                                                                                                                                                                  |
| NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.<br><input type="checkbox"/> Total of <u>1</u> forms are submitted.                                                                                                                                                                                                                                                                                                                                                                 |                        |                                                                                                                                                                  |

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-6300, on the date shown below.

Dated: October 17, 2006

Signature: Jody Bogley (Jody Bogley)
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 01 FC:2252 225.00 DA